

MTS-520US1

PTO/SB/51 (12-97)

Approved for use through 9/30/00. OMB 0651-0033

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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SUBSTITUTE
REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

MTS-520US1

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,761,301, granted June 2, 1998, and for which a reissue patent is sought on the invention entitled MARK FORMING APPARATUS, METHOD OF FORMING LASER

MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK, the specification of which

☐ is attached hereto.

☒ was filed on June 2, 2000 as reissue application number 09 / 588,364 and was amended on _____ (If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:
See Attachment:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) MTS-520US1	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.			
Name(s)		Registration Number	
<u>Allan Ratner</u>		<u>19,717</u>	
<u>Jacques L. Etkowicz</u>		<u>41,738</u>	
Correspondence Address: Direct all communications about the application to:			
<input type="checkbox"/> Customer Number 		Place Customer Number Bar Code Label here	
OR Type Customer Number here			
<input checked="" type="checkbox"/> Firm or Individual Name <u>Ratner & Prestia</u>			
Address <u>P.O. Box 980</u>			
Address			
City <u>Valley Forge</u>		State <u>PA</u>	ZIP <u>19482</u>
Country			
Telephone <u>610-407-0700</u>		Fax <u>610-407-0701</u>	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of sole or first inventor (given name, family name) <u>Mitsuaki Oshima</u>			
Inventor's signature			
Residence <u>Kyoto, Japan</u>		Date <u>October 1, 2001</u>	
Post Office Address <u>115-3, Minamitatsumi-cho, Katsura, Nishikyo-ku, Kyoto-shi, Kyoto 615, Japan</u>		Citizenship <u>Japanese</u>	
Full name of second joint inventor (given name, family name) <u>Yoshiho Gotoh</u>			
Inventor's signature			
Residence <u>Osaka, Japan</u>		Date <u>October 1, 2001</u>	
Post Office Address <u>Room 201, 9-17, Higashinkahama 4-chome, Jyoto-ku, Osaka-shi, Osaka 536, Japan</u>		Citizenship <u>Japanese</u>	
Full name of third joint inventor (given name, family name)			
Inventor's signature			
Date			
Residence			
Citizenship			
Post Office Address			
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.			

10019712001

Attachment to PTO/SB/51 (12-97) Reissue Application Declaration by the Inventor

At least one error upon which reissue is based is described as follows:

During the prosecution of the application that issued as the above patent, the inventors did not recognize that the features disclosed in the patent at col. 12, lines 30-46 were appropriate to claim. As such, the inventors did not claim all that they had a right to claim. This error was made without deceptive intent. More specifically, the inventors did not claim the feature of the reflective layer being trimmed by a laser to form a barcode-like trimming pattern.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which the priority date is claimed:

Prior Foreign Application(s)

(Number)	(Country)	(Day/Month/Year Filed)
6-283415	Japan	17/November/1994
7-016153	Japan	02/February/1995
7-261247	Japan	09/October/199

1001973-12001

MTS-520US1

COPY

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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

MTS-520US1

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,761,301, granted June 2, 1998, and for which a reissue patent is sought on the invention entitled MARK FORMING APPARATUS, METHOD OF FORMING LASER

MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK, the specification of which

☐ is attached hereto.

☒ was filed on June 2, 2000 as reissue application number 09 / 588,364 and was amended on _____ (If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

During the prosecution of the application that issued as the above patent, the inventors did not recognize that the features disclosed at page 31, line 23 to page 32, line 15 were appropriate to claim. As such, the inventors did not claim all that they had a right to claim. This error was made without deceptive intent.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)				Docket Number (Optional)– MTS-520US1	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.					
Name(s)		Registration Number			
Allan Ratner		19,717			
Jacques L. Etkowicz		41,738			
Correspondence Address: Direct all communications about the application to:					
<input type="checkbox"/> Customer Number				<input type="checkbox"/>	
OR		Type Customer Number here		Place Customer Number Bar Code Label here	
<input checked="" type="checkbox"/> Firm or Individual Name Ratner & Prestia					
Address		P.O. Box 980			
Address					
City		Valley Forge		State	PA
Country				ZIP	19482
Telephone		610-407-0700		Fax	610-407-0701
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.					
Full name of sole or first inventor (given name, family name) Mitsuaki Oshima					
Inventor's signature <i>Mitsuaki Oshima</i>					
Residence		Kyoto, Japan		Date June 26, 2000	
Post Office Address		115-3, Minamitatsumi-cho, Katsura, Nishikyo-ku, Kyoto-shi, Kyoto 615, Japan		Citizenship Japanese	
Full name of second joint inventor (given name, family name) Yoshiho Gotoh					
Inventor's signature		<i>Yoshiho Gotoh</i>		Date June 26, 2000	
Residence		Osaka, Japan		Citizenship Japanese	
Post Office Address Room 201, 9-17, Higashinkahama 4-chome, Jyoto-ku, Osaka-shi, Osaka 536, Japan					
Full name of third joint inventor (given name, family name)					
Inventor's signature		Date			
Residence		Citizenship			
Post Office Address					
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.					

Please type a plus sign (+) inside this box → ☐

PTO/SB/02G (3-97)

Approved for use through 8/30/98. OMB 0001-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION

REGISTERED PRACTITIONER INFORMATION (Supplemental Sheet)

Name	Registration Number	Name	Registration Number
Kevin R. Casey	32,117		
Benjamin E. Leace	33,412		
James C. Simmons	24,842		
Lawrence E. Ashery	34,515		
Christopher R. Lewis	36,201		
Robert L. Andersen	25,771		
Daniel N. Calder	27,424		
Louis W. Beardell, Jr.	40,506		
Jacques L. Etkowicz	41,738		
Jonathan H. Spadt	45,122		
Mark J. Marcelli	36,593		
Joshua L. Cohen	38,040		
Jack J. Jankovitz	42,690		
Christopher I. Halliday	42,621		

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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MTS-520US1

PTO/SB/52 (08-99)

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Patent and Trademark Office, U. S. DEPARTMENT OF COMMERCE

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REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Docket Number (optional)

MTS-520US1

I hereby declare that:

My residence and post office address and citizenship are stated below next to my name.

I am authorized to act on behalf of the following assignee: Matsushita Electric Industrial Co., Ltd.

and the title of my position with said assignee is: Director

The entire title to the patent identified below is vested in said assignee.

Name of Patentee(s):

Mitsuaki Oshima; Yoshiho Gotoh

Patent Number

5,761,301

Date of Patent Issued

June 2, 1998

Title of Invention

MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK,
REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK

I believe said patentee(s) to be the original, first and sole/joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled _____

See Attachment

the specification of which

☐ is attached hereto.

☒ was filed on June 2, 2000 as reissue application number 09/588,364
and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

During the prosecution of the application that issued as the above patent, the inventors did not recognize that the features disclosed at page 31, line 23 to page 32, line 15 were appropriate to claim. As such, the inventors did not claim all that they had a right to claim. This error was made without deceptive intent.

[Attach additional sheets, if needed.]

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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(REISSUE APPLICATION DECLARATION BY THE ASSIGNEE, page 2)					Docket Number (Optional) MTS-520US1	
I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.						
Name(s)		Registration Number				
Allan Ratner		19,717				
Lawrence E. Ashery		34,515				
Jacques L. Etkowicz		41,738				
Jack J. Jankovitz		42,690				
Correspondence Address: Direct all communications about the application to:						
<input type="checkbox"/> Customer Number		<div style="border: 1px solid black; width: 150px; height: 30px;"></div>			→ <div style="border: 1px solid black; padding: 5px; width: 100px;">Place Customer Number Bar Code Label Here</div>	
OR						
<input checked="" type="checkbox"/> Firm or Individual Name		Ratner & Prestia				
Address		P.O. Box 980				
Address						
City		Valley Forge	State	PA	Zip	19482
Country						
Telephone		(610) 407-0700	Fax	(610) 407-0701		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1 001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.						
Full name of person signing (given name, family name) Osamu Yamazaki						
Signature			Date June 26, 2000			
Address of Assignee 1006, Oaza Kadoma, Kadoma-shi, Osaka 571, Japan						
Patentee Mitsuaki Oshima			Citizenship Japanese			
Residence/Post Office Address 115-3, Minamitatsumi-cho, Katsura, Nishikyo-ku, Kyoto-shi, Kyoto 615, Japan						
Patentee Yoshiho Gotoh			Citizenship Japanese			
Residence/Post Office Address Room 201, 9-17, Higashinkahama 4-chome, Jyoto-ku, Osaka-shi, Osaka 536 Japan						

Attachment to PTO/SB/52 (12-97) Reissue Application Declaration by
the Assignee

Title of Invention:

MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON
OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF
PRODUCING OPTICAL DISK

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MTS-520US1

COPY

Practitioner's Docket No. MTS-520US1

PATENT

ASSENT BY ASSIGNEE FOR FILING OF REISSUE APPLICATION

This is part of the application for a reissue patent filed herewith based on the original patent identified as follows:

Name of Patentee: Matsushita Electric Industrial Co., Ltd.

Patent Number: 5,761,301

Date Patent Issued: 06/02/98

Title of Invention: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK

I am an assignee owning an undivided interest to the above original patent.

I assent to the accompanying application for reissue.

Attached is a "Certificate under 37 C.F.R. section 3.73(b)"

Matsushita Electric Industrial Co., Ltd.


Signature of person signing for assignee

Date: June 26, 2000

Osamu Yamazaki

Director

10017973 120701

No legalization required

ASSIGNMENT

WHEREAS, the ASSIGNOR, comprising the following named inventors:

Inventors

ASSIGNORS/
INVENTORS

1. Mitsuaki OSHIMA
2. Yoshiho GOTOH
- 3.
- 4.

TITLE

has made an invention entitled: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK and has executed an application for Letters Patent of the United States concurrently herewith;

WHEREAS, the ASSIGNEE, comprising the following named company:

ASSIGNEE
(Full Name
and address)

1. MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.
of 1006 Oaza Kadoma, Kadoma-shi, Osaka 571 JAPAN

is desirous of acquiring the entire interest in and to said invention and the Letters Patent to be obtained therefor,

NOW, THEREFORE, in consideration of the payment by ASSIGNEE to ASSIGNOR of a sum corresponding to One Dollar (\$1.00), and for other good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR, intending to be legally bound, hereby sells, assigns and transfers to ASSIGNEE, its successors and assigns the full and exclusive right, title and interest in and to said invention, all applications for Letters Patent for said invention, including all divisions and continuations thereof, all rights to claim priority based thereon, and all Letters Patent, including reissues, to be obtained therefor, including any and all foreign patent rights in this invention corresponding thereto.

ASSIGNOR hereby warrants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

ASSIGNOR agrees it shall be legally bound, upon request of the ASSIGNEE or its successors or assigns or a legal representative thereof, to supply all information and evidence of which the ASSIGNOR has knowledge or possession, relating to the making and practice of said invention, to testify in any legal proceeding relating thereto, to execute all instruments proper to patent the invention in the United States of America and foreign countries in the name of the ASSIGNEE, and to execute all instruments proper to carry out the intent of this instrument.

If the invention requires a biological deposit, ASSIGNOR also grants to ASSIGNEE such control over any deposit made by ASSIGNOR as may be necessary to the validity of the patent rights assigned herein.

ASSIGNOR authorizes ASSIGNOR's attorney to insert at the end hereof the serial number and filing date of the aforesaid application for United States Letters Patent and/or the Attorney docket or file designation for this application.

If the ASSIGNOR includes more than one individual, these obligations shall apply to these individuals both individually and collectively.

IN WITNESS WHEREOF, this Assignment is executed on the day indicated below.

	(Typed or Printed Name)	(Signature)	(Date)
SIGNATURE	1. Mitsuaki OSHIMA	<u>Mitsuaki Oshima</u>	<u>Feb. 20, 1996</u>
	2. Yoshiho GOTOH	<u>Yoshiho Gotoh</u>	<u>Feb. 20, 1996</u>
	3.	_____	_____
	4.	_____	_____

Application for United States Letters Patent

Serial No. 08 500,015 Filed November 17, 1995

Attorney Docket No.: MTS-520

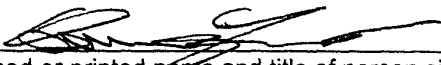
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PTO/SB/54 (12-97)

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REISSUE APPLICATION BY THE ASSIGNEE, OFFER TO SURRENDER PATENT		Docket Number (Optional) MTS-520US1
<p>This is part of the application for a reissue patent based on the original patent identified below.</p>		
<p>Name of Patentee(s): Mitsuaki Oshima; Yoshiho Gotoh</p>		
Patent Number 5,761,301	Date Patent Issued June 2, 1998	
<p>Title of Invention MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK</p>		
<p><u>Matsushita Electric Industrial Co., Ltd.</u> is the assignee of the entire interest in the original patent.</p> <p>I offer to surrender the original patent.</p> <p><input checked="" type="checkbox"/> A certificate under 37 CFR 3.73(b) is attached.</p> <p>I am authorized to act on behalf of the assignee.</p>		
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.</p>		
<p>Name of assignee Matsushita Electric Industrial Co., Ltd.</p>		
Signature of person signing for assignee 	Date June 26, 2000	
<p>Typed or printed name and title of person signing for assignee Osamu Yamazaki, Director</p>		

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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MTS-520US1

MTS-520US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M. Oshima et al.

: Art Unit: 2132

Serial No.: 09/588,364

: Examiner: S. Kabakoff

Filed: June 2, 2000

FOR: MARK FORMING APPARATUS,
METHOD OF FORMING LASER MARK ON
OPTICAL DISK, REPRODUCING
APPARATUS, OPTICAL DISK AND
METHOD OF PRODUCING OPTICAL DISK

COPY

10/017973
12/07/01

CERTIFICATE UNDER 37 CFR 3.73 (b)

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

Matsushita Electric Industrial Co., Ltd., a Japanese Corporation certifies that it is the assignee of the entire right, title and interest in U.S. Patent No. 5,761,301, which issued from application number 08/560,015, filed on November 17, 1995 by virtue of an assignment from the inventors. The assignment was recorded in the Patent and Trademark Office at Reel 7884, Frame 0122, for which a copy thereof is attached.

The undersigned has reviewed all the documents in the chain of title from patent application 08/560,015 to U. S. Patent No. 5,761,301 and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : October 1, 2001

Name : H. Kitagawa

Title : Authorized Signatory Officer

Signature : _____

1001793.120701